

Hon. James L. Robart

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MON, LLC

Plaintiff,

v.

M/V BLUE GOOSE, HIN CCBMH053097374,
her engines, tackle, furniture, equipment,
appurtenance, gear, etc. *in rem*, and PATRICK
FIKE, *in personam*,

Defendants.

IN ADMIRALTY AND AT LAW

No. C19-0483 JLR

ORDER APPOINTING
SUBSTITUTE CUSTODIAN
(PROPOSED)

The court having reviewed the records and files herein, including the Motion for Appointment
(Dkt. # 1-7) of Substitute Custodian and the Affidavit of Buck Wayne Fowler, Jr. (Dkt. # 1-8) in support thereof,

IT IS NOW HEREBY ORDERED:

1. That the M/V BLUE GOOSE, HIN CCBMH053097374 (the "Vessel"), her engines,
tackle, furniture, equipment, appurtenances, gear, etc., shall be arrested by the US Marshal;

That the vessel will be arrested at 1264 Westlake Avenue N., Seattle, Washington 98109 at a

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1 private moorage facility commonly known as Marina Mart, and the Substitute Custodian, Marine
2 Lenders Services, LLC, is authorized to secure the vessel at its current location for safekeeping while
3 it is in its custody;

4 2. That the fees and expenses to be charged by the Substitute Custodian and for moorage
5 will be less than the cost of leaving the property in the custody of the Marshal;

6 3. That the proposed Substitute Custodian has no interest in the outcome of the action in
7 which the vessel will be under arrest;

8 4. That the vessel will not be moved, except as deemed necessary by the Substitute
9 Custodian, and that no person, with the exception of agents or representatives of the Substitute
10 Custodian or surveyors, potential buyers and other persons approved by the Substitute Custodian, will
11 be allowed on board the vessel, except as necessary to transfer the vessel to the facilities of the
12 Substitute Custodian for safekeeping and except as necessary to safely keep and protect the vessel,
13 unless otherwise expressly ordered by the Court;

14 5. That the moving party has obtained the insurance coverage required by these rules;

15 6. That the moving party agrees to release the United States and the Marshal from any
16 and all liability and responsibility arising out of the care and custody of the vessel, from the time the
17 Marshal transfers possession of the vessel to the Substitute Custodian until the vessel is released or
18 sold, and agrees to hold harmless and indemnify the United States and the Marshal from any and all
19 claims whatsoever arising out of the Substitute Custodian's possession and safekeeping;

20 7. That the proposed Substitute Custodian accepts appointment as Substitute Custodian
21 and possession of the vessel and will safely keep the vessel for the duration of the appointment as
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1 Substitute Custodian. It is further ORDERED That Plaintiff's attorney serve a copy of this order on the
2 owner of the Vessel. The court DIRECTS the Clerk to deliver three certified copies of This order to the
3 United States Marshal.

4 DATED this 10th day of April 2019

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6
7 UNITED STATES DISTRICT COURT JUDGE

8 James L. Robart

9
10 UNITED STATES MARSHAL

11 DATE: _____

12 Presented by:

13 LAW OFFICES OF ROBERT A. GREEN, INC., P.S.

14 s/Robert A. Green, WSBA #12659

15 Attorney for Plaintiff

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